

REMARKS

Claims 1-110 were pending in the present application. Claims 1-93 were previously withdrawn from consideration in response to a restriction requirement and claims 98 and 100 were previously canceled. By virtue of this response, claim 108 is amended. Accordingly, claims 94-97, 99, and 101-110 are currently under consideration.

Claim Amendments

Claim 108 has been amended to recite “at least one of a polarizer, half wave plate, quarter wave plate, neutral density filter, birefringent plate, or diffractive optic,” to improve clarity. Accordingly, no new matter has been added.

Rejection Withdrawn

Claims 94-105 were rejected under 35 U.S.C. 102(b) as being anticipated by Campbell for reasons of record in Paper No. 11, paragraph 3. Applicants acknowledge that the Examiner has indicated the previous rejection is withdrawn.

Claim Rejections - 35 USC §102

Claims 94-110 stand rejected under 35 U.S.C. 102(b) as being anticipated by Campbell (U. S. Patent No. 5,932,045).

A. Claims 94-97, 99, and 101-107

The Examiner states Campbell discloses, among other things, that the “substrate can have at least one hole as shown in figure-4B.” Applicants respectively disagree and submit that Figure 4B of Campbell illustrates “a holder 70 suitable for use in the invention.” (See, col. 5, line 61- col. 6, line 4)(Emphasis added). In particular, Campbell discloses a holder 70 having a hole in surface area 80, the holder 70 being used for positioning substrates during fabrication, but Campbell clearly fails to disclose a substrate of a multilayer article having a hole. Accordingly, Campbell

fails to disclose or suggest a multilayer article including a substrate, wherein “the substrate has at least one hole,” as recited by claim 94.

Applicants therefore submit that the rejection be withdrawn and claim 94 allowed. Claims 95-97, 99, and 101-107 depend from claim 94 and should be allowable for at least similar reasons as claim 94.

Further, with regard to claims 103 and 104, the Examiner states “In col. 12, line 60-64, Campbell teaches that the article is typically ‘significantly free’ from divots and peaks, which would infer to the presence of some relief pattern or diffraction grating roughness.” Applicants respectfully disagree. The portion cited by the Examiner states:

An initial substrate will typically have surface flatness and transmission flatness values of about 0.1 to about 10 waves/cm, and a bow of about 0.1 or less. Commercially available display glass exhibits these properties, and is typically free from significant divots and peaks, meaning scratch and dig of 40/20 or better. (Col. 12, lines 57-63)

The Examiner has improperly inferred the presence of a relief pattern or diffraction grating from Campbell without sufficient evidence or rationale (See, e.g., MPEP § 2112). This portion of Campbell merely includes a desired source of a substrate, for example, commercially available display glass, which has a desired surface flatness and transmission flatness and is typically free from significant divots and peaks. Accordingly, this portion of Campbell, read in context, appears to teach away from a substrate including a surface relief pattern or diffractive grating. The portion of Campbell clearly does not disclose or suggest including a relief pattern or diffractive grating with the substrate as described in the present application. See, for example, page 29, lines 1-4 of the present application regarding an exemplary relief pattern. Accordingly, Campbell does not disclose or suggest “the outer surface of the substrate contains a surface relief pattern” or “the inner surface of the substrate contains a surface relief pattern or a diffractive grating,” as recited in claims 103 and 104 respectively, and the rejection should be withdrawn.

B. Claims 108-110

With regard to independent claim 108, Applicants submit that Campbell fails to disclose or suggest a multilayer article where the substrate includes “a polarizer, half wave plate, quarter wave plate, neutral density filter, birefringent plate, or diffractive optic,” nor is it alleged to be disclosed or suggested in the Office Action. The Examiner does state, as discussed above with regard to claims 103 and 104, that “Campbell teaches that the article is typically ‘significantly free’ from divots and peaks, which would infer to the presence of some relief pattern or diffraction grating roughness.” As discussed above, however, the inference drawn by the Examiner is improper, and Campbell clearly fails to teach the features of the present claims. Accordingly, Applicants request withdrawal of the rejection and allowance of claims 108-110.

Further, claim 109 recites that “the substrate includes a quarter wave plate.” Campbell does not disclose or suggest this feature, nor is it alleged to in the Office Action. Accordingly, the rejection to claim 109 should be withdrawn.

Further still, claim 110 recites that the “substrate has at least one hole.” Campbell does not disclose or suggest this feature. The Examiner has pointed to the hole shown in Figure 4B of Campbell, however, as discussed above, Figure 4B illustrates a hole in the holder used for positioning a substrate during fabrication and does not show a hole in a substrate. Accordingly, the rejection to claim 110 should be withdrawn.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 495812000300. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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